

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3038
)	
v.)	
)	MEMORANDUM AND ORDER
DANIEL KUCA,)	
)	
Defendant.)	

The defendant has moved to continue the pretrial motion deadline and the trial of this case. Filing no. 15. Defendant's motion states defense counsel and the defendant are in the process of determining whether to file pretrial motions or continue ongoing plea negotiations. The government does not oppose the defendant's requested continuance. The court finds defendant's motion should be granted.

IT IS ORDERED:

- 1) The defendant's motion to continue, (filing no. 15), is granted.
- 2) The defendant's pretrial motions shall be filed on or before August 2, 2010.
- 3) The ends of justice will be served by granting defendant's motion to continue the pretrial motion deadline, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between July 2, 2010 and August 2, 2010, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).
- 4) Trial of this case is continued pending resolution of any pretrial motions filed.

July 1, 2010.

BY THE COURT:
s/ Cheryl R. Zwart
United States Magistrate Judge